

# The Solicitors' Journal

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## INDEX AND STATUTES

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The following abbreviations are used throughout this section:—C. (Costs); C.D. (Conveyancer's Diary); Co. L. (Company Law and Practice); Corres. (Correspondence); L. (Leading Articles); L.T. (Landlord and Tenant Notebook); M. (Miscellaneous); P.C. (Practical Conveyancing); P.N. (Practice Notes); Soc. (Societies); T. (Current Topics); Tax. (Taxation).

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- Estate duty; Australian assets; incidence of duty [*In re* Nesbitt, deceased; Dr. Barnardo's Homes National Incorporated Association v. Board of Governors of the United Newcastle-upon-Tyne Hospitals (Ch. D.)], 264.
- Estate duty; credit in respect of Canadian succession duty; entitlement as between legatees and residue [*In re* Goetze; National Provincial Bank, Ltd. v. Mond (C.A.)], 28.
- Estate duty; life policy of father assigned to son; "beneficial interest" passing on death of father [D'Avigdor-Goldsmid v. Inland Revenue Commissioners (H.L.)], 130.
- Estate duty; policies on settlor's life held by settlement trustees [Coutts & Co. v. Inland Revenue Commissioners (H.L.)], 130.
- Estate duty; shares in private company; valuation [*In re* Holt, deceased; Holt v. Inland Revenue Commissioners (Ch. D.)], 876.
- Income tax; assessment; discovery; additional assessments [Beatty (Earl) v. Inland Revenue Commissioners (Ch. D.)], 573.
- Income tax; author; compensation for cancellation of film contract [Household v. Grimshaw (Ch. D.)], 372.
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- Income tax; balancing charge; "sale"; railway wagons vested in Transport Commission; compensation [John Hudson & Co., Ltd. v. Kirkness (Inspector of Taxes) (Ch. D.)], 403.
- Income tax; charity; statutory duty; payment of annual sums to charity to meet expenses; deduction of tax from payments [Inland Revenue Commissioners v. City of London (as Epping Forest Conservators) (H.L.)], 315.
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- Income tax; expenses wholly and exclusively for purposes of trade; cost of printing and publishing chairman's report containing political propaganda [Boarland (Inspector of Taxes) v. Kramat Pulai, Ltd. (Ch. D.)], 763.
- Income tax; infants' savings bank accounts and defence bonds; gift by father; "settlement" [Thomas v. Marshall (Inspector of Taxes) (H.L.)], 316.
- Income tax; liability to tax (Schedule A) where no appeal to Commissioners against assessment [Inland Revenue Commissioners v. Pearlberg (C.A.)], 111.
- Income tax; maintenance order by Divorce Division; tax-free maintenance remitted from abroad; wife not liable to tax [Stokes v. Bennett (Inspector of Taxes) (Ch. D.)], 438.
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# STATUTES

ENACTED IN PARLIAMENT, 1953

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## CHAPTER 6

### CONSOLIDATED FUND ACT, 1953

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March, one thousand nine hundred and fifty-three. [12th February, 1953.]

## CHAPTER 7

### LAW REFORM (PERSONAL INJURIES) (AMENDMENT) ACT, 1953

An Act to amend section two of the Law Reform (Personal Injuries) Act, 1948, in relation to the assessment in Scotland of damages for death. [12th February, 1953.]

## CHAPTER 8

### CONSOLIDATED FUND (No. 2) ACT, 1953

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March, one thousand nine hundred and fifty-two, one thousand nine hundred and fifty-three and one thousand nine hundred and fifty-four. [26th March, 1953.]

## CHAPTER 9

### ROYAL TITLES ACT, 1953

An Act to provide for an alteration of the Royal Style and Titles. [26th March, 1953.]

## CHAPTER 10

### AGRICULTURAL LAND (REMOVAL OF SURFACE SOIL) ACT, 1953

An Act to make it an offence to remove surface soil from land in certain circumstances; and for purposes connected therewith. [6th May, 1953.]

## CHAPTER 11

### HARBOURS, PIERS AND FERRIES (SCOTLAND) ACT, 1953

An Act to extend the power of the Secretary of State under section seven of the Harbours, Piers and Ferries (Scotland) Act, 1937, to authorise the undertaking by certain local and harbour authorities of operations in connection with marine works. [6th May, 1953.]

## CHAPTER 12

### LEASEHOLD PROPERTY ACT AND LONG LEASES (SCOTLAND) ACT EXTENSION ACT, 1953

An Act to extend for a further period the operation of the Leasehold Property (Temporary Provisions) Act, 1951, and the Long Leases (Temporary Provisions) (Scotland) Act, 1951. [6th May, 1953.]

## CHAPTER 13

### TRANSPORT ACT, 1953

An Act to require the British Transport Commission to dispose of the property held by them for the purposes of the part of their undertaking which is carried on through the Road Haulage Executive; to amend the law relating to the carriage of goods by road and to provide for a levy, for the benefit of the said Commission and for other purposes, on motor vehicles used on roads; to provide for the reorganisation of the railways operated by the said Commission and to amend the law relating to the powers, duties and composition of the said Commission; to repeal certain provisions of the Transport Act, 1947, and to amend other provisions thereof; to amend section six of the Cheap Trains Act, 1883; and for purposes connected with the matters aforesaid. [6th May, 1953.]

## CHAPTER 14

### PREVENTION OF CRIME ACT, 1953

An Act to prohibit the carrying of offensive weapons in public places without lawful authority or reasonable excuse. [6th May, 1953.]

## CHAPTER 15

### IRON AND STEEL ACT, 1953

An Act to repeal the Iron and Steel Act, 1949, and to dissolve the Iron and Steel Corporation of Great Britain; to establish an Iron and Steel Board for the supervision of the iron and steel industry and to define the functions of that Board, and to make other provision as to the said industry; to provide for the return of iron and steel undertakings to private ownership and for the disposal of the property, rights, liabilities and obligations of the said Corporation; and for purposes connected with the matters aforesaid. [14th May, 1953.]

## CHAPTER 16

### TOWN AND COUNTRY PLANNING ACT, 1953

An Act to abolish development charges under the Town and Country Planning Act, 1947, and the Town and Country Planning (Scotland) Act, 1947, subject to certain savings and special provisions; to provide, subject to certain savings and special provisions, that the payments required by sections fifty-eight and fifty-five of those Acts respectively shall not be made and to make certain provision as to claims for and rights to receive such payments; to make provision as to the acquisition of land by the Central Land Board under sections forty-three and forty of those Acts respectively; to revoke Regulation 6 of the Town and Country Planning (Modification of the Mines Act) Regulations, 1948, and Regulation 5 of the Town and Country Planning (Modification of Mines Act) (Scotland) Regulations, 1948; to suspend the operation of section thirty of the Mineral Workings Act, 1951; and for purposes connected with the matters aforesaid. [20th May, 1953.]

## CHAPTER 17

### WHITE FISH AND HERRING INDUSTRIES ACT, 1953

An Act to provide for the payment out of moneys provided by Parliament of grants in respect of the acquisition of new vessels and engines for use in the white fish and herring industries, and of a subsidy in respect of white fish; to extend the power to make loans out of such moneys to the White Fish Authority and the Herring Industry Board, and the power to make grants out of such moneys to that Board for the promotion of the sale of herring and other purposes; and otherwise to amend the enactments relating to the said industries. [20th May, 1953.]

## CHAPTER 18

### COASTAL FLOODING (EMERGENCY PROVISIONS) ACT, 1953

An Act to make provision for work for defence against sea water in localities affected by the flood of January, 1953; to provide for the rehabilitation of agricultural land damaged by salt water; and for purposes connected with the matters aforesaid. [20th May, 1953.]

## CHAPTER 19

### PHARMACY ACT, 1953

An Act to amend the law relating to pharmacy and for purposes consequential on such amendment. [20th May, 1953.]

## CHAPTER 20

### BIRTHS AND DEATHS REGISTRATION ACT, 1953

An Act to consolidate certain enactments relating to the registration of births and deaths in England and Wales with corrections and improvements made under the Consolidation of Enactments (Procedure) Act, 1949. [14th July, 1953.]

## CHAPTER 21

### ROAD TRANSPORT LIGHTING ACT, 1953

An Act to amend the law in relation to the rear lighting of road vehicles; and for purposes connected therewith. [14th July, 1953.]

**CHAPTER 22****ROAD TRANSPORT LIGHTING (No. 2) ACT, 1953**

An Act to amend the Road Transport Lighting Acts, 1927 and 1945; and for purposes incidental thereto. [14th July, 1953.]

**CHAPTER 23****ACCOMMODATION AGENCIES ACT, 1953**

An Act to prohibit the taking of certain commissions in dealings with persons seeking houses or flats to let and the unauthorised advertisement for letting of houses and flats. [14th July, 1953.]

**CHAPTER 24****NAVY AND MARINES (WILLS) ACT, 1953**

An Act to amend the law with respect to the operation of wills made by members of the naval and marine forces; and for purposes connected therewith. [14th July, 1953.]

**CHAPTER 25****LOCAL GOVERNMENT SUPERANNUATION ACT, 1953**

An Act to amend the law as to the benefits to be payable to or in respect of contributors to superannuation funds maintained by local authorities and as to the persons entitled to participate in the benefits of those funds; to amend the Local Government Superannuation Act, 1937, and the Local Government Superannuation (Scotland) Act, 1937; to provide alternative benefits to those provided under section nine of the Local Government (Clerks) Act, 1931; to make provision as to payments due from local authorities to deceased employees; and for purposes connected therewith. [14th July, 1953.]

**CHAPTER 26****LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT, 1953**

An Act to amend the law relating to local authorities. [14th July, 1953.]

**CHAPTER 27****SLAUGHTER OF ANIMALS (PIGS) ACT, 1953**

An Act to provide for the humane slaughter of pigs in places other than slaughterhouses and knackers' yards; and for purposes connected therewith. [14th July, 1953.]

**CHAPTER 28****DOGS (PROTECTION OF LIVESTOCK) ACT, 1953**

An Act to provide for the punishment of persons whose dogs worry livestock on agricultural land; and for purposes connected with the matter aforesaid. [14th July, 1953.]

**CHAPTER 29****NATIONAL INSURANCE ACT, 1953**

An Act to amend the National Insurance Acts, 1946 to 1952, in relation to maternity benefit and persons entitled thereto; and for purposes connected with the matter aforesaid. [14th July, 1953.]

**CHAPTER 30****RHODESIA AND NYASALAND FEDERATION ACT, 1953**

An Act to provide for the federation of Southern Rhodesia, Northern Rhodesia and Nyasaland; and for purposes connected therewith. [14th July, 1953.]

**CHAPTER 31****ARMY AND AIR FORCE (ANNUAL) ACT, 1953**

An Act to provide, during twelve months, for the discipline and regulation of the Army and the Air Force. [14th July, 1953.]

**CHAPTER 32****THERAPEUTIC SUBSTANCES (PREVENTION OF MISUSE) ACT, 1953**

An Act to make further provision as to the substances other than penicillin to which the Penicillin Act, 1947, may be applied by regulations and to provide for relaxing in certain cases the restrictions imposed by that Act. [14th July, 1953.]

**CHAPTER 33****EDUCATION (MISCELLANEOUS PROVISIONS) ACT, 1953**

An Act to amend the law relating to education in England and Wales; and to make further provision with respect to the duties of education authorities in Scotland as to dental treatment. [14th July, 1953.]

**CHAPTER 34****FINANCE ACT, 1953**

An Act to grant certain duties, to alter other duties and to amend the law relating to the National Debt and the Public Revenue, and to make further provision in connection with Finance. [31st July, 1953.]

**CHAPTER 35****APPROPRIATION ACT, 1953**

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March, one thousand nine hundred and fifty-four; and to appropriate the supplies granted in this Session of Parliament. [31st July, 1953.]

**CHAPTER 36****POST OFFICE ACT, 1953**

An Act to consolidate certain enactments relating to the Post Office with corrections and improvements made under the Consolidation of Enactments (Procedure) Act, 1949. [31st July, 1953.]

**CHAPTER 37****REGISTRATION SERVICE ACT, 1953**

An Act to consolidate certain enactments relating to the registration service in England and Wales with corrections and improvements under the Consolidation of Enactments (Procedure) Act, 1949. [31st July, 1953.]

**CHAPTER 38****NEW TOWNS ACT, 1953**

An Act to increase the amount of the advances which may be made to development corporations under section twelve of the New Towns Act, 1946. [31st July, 1953.]

**CHAPTER 39****MARSHALL AID COMMEMORATION ACT, 1953**

An Act to make provision for the granting of scholarships in commemoration of the assistance received by the United Kingdom under the European Recovery Programme and known as Marshall Aid; and for purposes connected with the matter aforesaid. [31st July, 1953.]

**CHAPTER 40****UNIVERSITY OF ST. ANDREWS ACT, 1953**

An Act to make provision for the re-organisation of University education in St. Andrews and Dundee, to amend the constitution of the University, of St. Andrews, of University College, Dundee, and of other bodies or institutions concerned; and for purposes connected with the matters aforesaid. [31st July, 1953.]

**CHAPTER 41****HOSPITAL ENDOWMENTS (SCOTLAND) ACT, 1953**

An Act to provide for the constitution of a Scottish Hospital Endowments Research Trust; to empower the Hospital Endowments Commission to transfer endowments to the said Trust; to amend the provisions of the National Health Service (Scotland) Act, 1947, relating to the said Commission; and for purposes connected with the matters aforesaid. [31st July, 1953.]

**CHAPTER 42****VALUATION FOR RATING ACT, 1953**

An Act to make new provision as respects the gross value for rating purposes of dwelling-houses, private garages and private storage premises, and of certain hereditaments partly used as private dwellings; and for purposes connected with the matter aforesaid. [31st July, 1953.]

**CHAPTER 43****NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACT, 1953**

An Act to make further provision with respect to the system of insurance established by the National Insurance (Industrial Injuries) Act, 1946, and to extend the class of persons to whom certain benefits may be paid under section eighty-two of that Act and the benefits under that Act which may be so paid. [31st July, 1953.]



**CHAPTER 44**

**ISLE OF MAN (CUSTOMS) ACT, 1953**

An Act to amend the law with respect to customs in the Isle of Man.  
[31st July, 1953.]

**CHAPTER 45**

**SCHOOL CROSSING PATROLS ACT, 1953**

An Act to provide for the authorisation of measures for the control of traffic, at places where children cross roads on their way to or from school, by persons other than police constables.  
[31st July, 1953.]

**CHAPTER 46**

**LICENSING ACT, 1953**

An Act to consolidate certain enactments relating to justices' licences for the sale by retail of intoxicating liquor and to the registration of clubs and to matters connected therewith with corrections and improvements made under the Consolidation of Enactments (Procedure) Act, 1949.  
[31st July, 1953.]

**CHAPTER 47**

**EMERGENCY LAWS (MISCELLANEOUS PROVISIONS) ACT, 1953**

An Act to make permanent provision with respect to certain matters with respect to which temporary provision has hitherto been made by or under Defence Regulations; to suspend the operation of subsection (1) of section thirty-one of the Road Traffic Act, 1934; to remove certain limitations on the exercise of the powers conferred on the court by virtue of the Settled Land and Trustee Acts (Court's General Powers) Act, 1943; to empower certain persons subject to the Naval Discipline Act to take affidavits and declarations outside the United Kingdom; to save the previous operation of Regulation fifty-five F of the Defence (General) Regulations, 1939, after the revocation or expiry thereof; and for purposes connected with the matters aforesaid.  
[31st July, 1953.]

**CHAPTER 48**

**MERCHANDISE MARKS ACT, 1953**

An Act to amend the provisions of the Merchandise Marks Acts, 1887 to 1938, relating to false trade descriptions, and to imported goods bearing the trade mark of a manufacturer, dealer or trader in the United Kingdom, and to amend the Merchandise Marks Act, 1887, in relation to offences.  
[31st July, 1953.]

**CHAPTER 49**

**HISTORIC BUILDINGS AND ANCIENT MONUMENTS ACT, 1953**

An Act to provide for the preservation and acquisition of buildings of outstanding historic or architectural interest and their contents and related property, and to amend the law relating to ancient monuments and other objects of archaeological interest.  
[31st July, 1953.]

**CHAPTER 50**

**AUXILIARY FORCES ACT, 1953**

An Act to consolidate certain enactments and Orders in Council relating to the Territorial Army and the Royal Auxiliary Air Force with corrections and improvements made under the Consolidation of Enactments (Procedure) Act, 1949.  
[29th October, 1953.]

**CHAPTER 51**

**MONOPOLIES AND RESTRICTIVE PRACTICES COMMISSION ACT, 1953**

An Act to make provision for a chairman and deputy chairmen of the Monopolies and Restrictive Practices Commission, and for the tenure of office and superannuation benefits of the chairman and deputy chairmen thereof; to enable functions of the Commission to be exercised by groups of its members; and for purposes connected with the matters aforesaid.  
[29th October, 1953.]

**CHAPTER 52**

**ENEMY PROPERTY ACT, 1953**

An Act to make provision as respects things done, in relation to enemy property or property treated as enemy property, in excess of the powers conferred by the law relating to trading with the enemy, and as respects income from moneys invested by custodians of enemy property; as respects copyrights, rights in inventions and designs, and other rights in or in connection with which German enemy interests subsisted, or were properly treated as subsisting, during the period of the war with Germany, as respects property allocated by way of reparation from Germany and as respects other property seized from Germany; and for purposes connected with the matters aforesaid.  
[29th October, 1953.]

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**CHAPTER 1**

**REGENCY ACT, 1953**

An Act to provide that, in the event of a Regency becoming necessary under the Regency Act, 1937, His Royal Highness the Duke of Edinburgh shall in certain circumstances be the Regent, to provide that the heir apparent or heir presumptive to the Throne shall be deemed for the purposes of that Act to be of full age if he or she has attained the age of eighteen years, to add Her Majesty Queen Elizabeth the Queen Mother to the persons to whom royal functions may be delegated as Counsellors of State, and for purposes connected with the matters aforesaid.  
[19th November, 1953.]

**CHAPTER 2**

**CONSOLIDATED FUND (No. 3) ACT, 1953**

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March, one thousand nine hundred and fifty-four.  
[18th December, 1953.]

**CHAPTER 3**

**ARMED FORCES (HOUSING LOANS) ACT, 1953**

An Act to extend the Armed Forces (Housing Loans) Act, 1949.  
[18th December, 1953.]

**CHAPTER 4**

**POST OFFICE AND TELEGRAPH (MONEY) ACT, 1953**

An Act to provide for raising further money for the development of the postal, telegraphic and telephonic systems and of any other business of the Post Office; and for purposes connected with that matter.  
[18th December, 1953.]

**CHAPTER 5**

**STATUTE LAW REVISION ACT, 1953**

An Act for further promoting the Revision of the Statute Law by repealing Enactments which have ceased to be in force or have become unnecessary and by correcting certain errors in the First Schedule to the Statute Law Revision Act, 1950, and for facilitating the publication of Revised Editions of the Statutes.  
[18th December, 1953.]

**CHAPTER 6**

**PUBLIC WORKS LOANS ACT, 1953**

An Act to grant money for the purpose of certain local loans out of the Local Loans Fund.  
[18th December, 1953.]

**CHAPTER 7**

**AIR CORPORATIONS ACT, 1953**

An Act to increase the borrowing powers of the British Overseas Airways Corporation and the British European Airways Corporation; to make provision for the payment of pension benefits in respect of the service of members of those corporations; and to amend the law with respect to the limitation of actions and other proceedings against those corporations or their servant or agents.  
[18th December, 1953.]

**CHAPTER 8**

**ELECTORAL REGISTERS ACT, 1953**

An Act to alter the date for the publication, in the year nineteen hundred and fifty-five and subsequent years, of registers of parliamentary and local government electors, and consequentially on that alteration to alter the elections for which those registers are to be used, and the qualifying date for those elections, and make further provision in place of section four of the Electoral Registers Act, 1949.  
[18th December, 1953.]

**CHAPTER 9**

**EXPIRING LAWS CONTINUANCE ACT, 1953**

An Act to continue certain expiring laws.  
[18th December, 1953.]